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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,773	07/12/2006	Bernd Pfannschmidt	PFANNSCHMIDT-3	7819
20151	7590	07/21/2008		EXAMINER
HENRY M FEIEREISEN, LLC			DESAI, NAISHADH N	
HENRY M FEIEREISEN			ART UNIT	PAPER NUMBER
708 THIRD AVENUE				2834
SUITE 1501				
NEW YORK, NY 10017				
		MAIL DATE	DELIVERY MODE	
		07/21/2008	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/566,773	<b>Applicant(s)</b> PFANNSCHMIDT, BERND
	<b>Examiner</b> NAISHADH N. DESAI	<b>Art Unit</b> 2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 25 March 2008.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-17 is/are pending in the application.  
 4a) Of the above claim(s) 11-15 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10, 16 and 17 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 31 January 2006 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. This application contains claims 11-15 drawn to an invention nonelected with traverse in the reply filed on 11/30/2007. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144)

See MPEP § 821.01.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnsen (US 5331238).

2. Regarding claim 1, Johnsen teaches:

An electric machine, comprising (abstract):

a housing (abstract);

a coolant entry arranged on one side of the housing (Fig 7);

a cylindrical magnet arrangement received in the housing (Fig 7A and abstract)

and

a cooling device for cooling the magnet arrangement (abstract ,Fig 5 and c 1 l 6),

wherein the cooling device has a circumferential coolant channel for (Fig 5), disposed on the one side of the housing in fluid communication with the coolant entry to receive

incoming coolant from the coolant entry (Fig 7) and distribute the incoming coolant essentially uniformly in a circumferential direction of the cylindrical magnet arrangement (abstract and Figs 5 and 7).

3. Regarding claim 2, Johnsen teaches that the coolant channel being part of the housing (Figs 5 and 7 and abstract).

4. Regarding claim 3, Johnsen teaches that the coolant channel completely surrounds a circumference of the magnet arrangement (Figs 5 and 7).

5. Regarding claim 4, Johnsen teaches that the coolant channel is interrupted diagonally opposite a coolant entry (Figs 5 and 7).

6. Regarding claim 5, Johnsen teaches that the magnet arrangement has a laminated core forming a wall of the coolant channel (Fig 5).

7. Regarding claim 6, Johnsen teaches the coolant channel is arranged upstream of the cylindrical magnet arrangement as viewed in an axial direction (Fig 7 shows the coolant channel to be arranged both down stream and upstream of the core, viewed in the axial direction)

8. Regarding claim 7, Johnsen teaches the coolant channel is open in one or both axial directions (Fig 7), and further comprising a bearing shield and/or an annular cover for covering the coolant channel (Fig 7,124 and 128).

9. Regarding claim 8, Johnsen teaches the coolant entry is arranged radially on the coolant channel with respect to the cylindrical magnet arrangement (Fig 7).

10. Regarding claim 17, Johnsen teaches the coolant entry is arranged axially on the coolant channel with respect to the cylindrical magnet arrangement (Fig 7)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnsen (US 5331238) in view of Akers et al (US 3604013).

11. Regarding claim 9 Johnsen teaches coolant channels with reduced dimensions in the radial direction (Fig 3B).

Johnsen does not teach the use of a terminal junction box. Akers et al teaches a motor terminal junction box, wherein the coolant channel has a reduced dimension in a radial direction in a region of the motor terminal junction box (Col 1 II 65-67, Col 2 II 1-2,47-61).

Johnsen does not disclose a motor terminal junction box. Akers et al teaches a motor terminal junction box (Col 2 II 47-61). It would have been obvious to a person having ordinary skills in the art at the time the invention was made to modify the device of Johnsen to use the motor terminal junction box of Akers et al. The motivation to do so would be that it would allow for quick access to electrical connections within motor (Col 2 II 51-53 of Akers et al) and for the motor terminal junction box to be installed during assembly of the motor.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnsen (US 5331238) in view of Fechner et al (5406152).

12. Regarding claim 10, Fechner teaches a housing constructed in the form of a pressure plate structure.

Johnsen discloses the device as claimed. Johnsen does not disclose the housing to be made of a pressure plate structure. Fechner et al teaches a housing which is formed by

pressure plates (Col 4 ll 38-40). It would have been obvious to a person having ordinary skills in the art at the time the invention was made to modify the device of Johnsen to use the pressure plates in the form of a housing of Fechner et al. The motivation to do so would be that it would reduce the costs of regulating and operating the electric device (Col 2 ll 30-33 of Fechner et al).

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnsen (US 5331238) in view of Zysset (US 6191511).

13. Regarding claim 16, Zysset teaches the housing has opposite drive and non-drive sides, the coolant entry being arranged on the non-drive side.

Johnsen discloses the device as claimed. Johnsen does not explicitly disclose the housing to have drive and non-drive sides. It is obvious that the motor housing will have drive and non-drive sides. Zysset teaches a housing which has opposite drive and non-drive sides (Fig 1 and Col 3 ll 15-20). It would have been obvious to a person having ordinary skills in the art at the time the invention was made to modify the device of Johnsen to arrange the coolant entry to be on the non-drive side as taught by Zysset. The motivation to do so would be that it would provide for a compact motor having high output with few parts (Col 1 ll 10-12 of Zysset).

#### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 for details.

#### ***Response to Arguments***

15. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naishadh N. Desai whose telephone number is (571) 270-3038. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7/17/08

Naishadh N Desai  
Patent Examiner

/Dang D Le/  
Primary Examiner, Art Unit 2834